

REMARKS

This Amendment is being filed in response to the Final Office Action mailed August 23, 2007, which has been reviewed and carefully considered. Allowance of the present application in view of the remarks to follow is respectfully requested.

In the Final Office Action, claims 1, 4-8, 14 and 16-19 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent Application Publication No. 2003/0168635 (Hampden) in view of U.S. Patent No. 5,980,980 (DiChiara). Further, claims 9-13 and 15 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Hampden in view of DiChiara and Patent Abstracts of Japan, Publication No. JP 01-178584 (Hiroyuki). It is respectfully submitted that claims 1, 4-9 and 11-19 are patentable over Hampden, DiChiara and Hiroyuki for at least the following reasons.

Hampden is directed to photoluminescent phosphor powders and a method for making phosphor powders. As recited in paragraphs [0212] to [0214], phosphor particles are coated with an inorganic compound, such as SiO₂ or Al₂O₃. The coatings "encapsulate the

entire [phosphor] particle." (Paragraph [0214], line 2, emphasis added)

As correctly noted on page 2 of the Final Office Action, Hampden does not teach or suggest mono aluminum phosphate. DiChiara is cited in an attempt to remedy this deficiency in Hampden.

DiChiara is directed to a ceramic composition for in situ repair of porous ceramic bodies "used in the repair of ceramic tiles for spacecraft and aircraft." (Abstract) DiChiara discloses that monoaluminum phosphate may be used as a source of pre-reacted form of alumina and phosphoric acid in order to provide reactive phosphate ions.

It is respectfully submitted that it is inappropriate to combine the teachings of DiChiara with the teachings of Hampden. Clearly, DiChiara and Hampden are concerned with very different and unrelated problems. While it is true that DiChiara discloses mono aluminum phosphate, DiChiara in fact is related to an entirely different problem. DiChiara relates to a repairing of porous ceramic bodies, and has nothing to do with a luminescent screen or a discharge lamp with a luminescent screen.

As is clearly indicated by the title and recited throughout such as the abstract, DiChiara relates to in situ repair of porous ceramic bodies, such as ceramic tiles of a spacecraft, while the present invention is related to a luminescent screen and a discharge lamp, for example. One may not utilize the teachings of the present application as a road map to pick and choose amongst unrelated prior art references for the purposes of attempting to arrive at the presently disclosed invention.

Therefore, it is respectfully submitted that a person of ordinary skill in the art related to discharge lamps and luminescent screens would not have been motivated to combine DiChiara (which is related to repair of porous ceramic bodies) with Hampden without impermissible hindsight reconstruction based on Applicants' own claimed invention.

It is respectfully submitted that one skilled in the art of luminescent screen and discharge lamps would not in an obvious manner resort to the art of ceramic space tile repair to reduce mercury consumption in lamps, for example. Surely, if it was obvious to combine Hampden with DiChiara (which is published since 1999), then a discharge lamp or a luminescent screen including

monoaluminum phosphate would have already been known.

It is respectfully submitted that without utilizing the teachings of the present application as a road map and impermissible hindsight reasoning, a person skilled in the art could not, in an obvious manner, arrive at the present invention as recited in independent claims 1, 11, 14 and 19.

Further assuming, arguendo, that the combination of Hampden and DiChiara is proper, such a combination merely teaches a flat panel display or lighting element that includes the Hampden photo-luminescent powder and the DiChiara ceramic composition. Applying the DiChiara slurry for ceramic repair to the Hampden photo-luminescent powder, at best, would result in a repaired flat panel display or lighting element, or most likely would result in an inoperative, unacceptable or unusable flat panel display or lighting element.

It is respectfully submitted that Hampden, DiChiara and combinations thereof, do not teach or suggest the present invention as recited in independent claim 1, and similarly recited in independent claims 13, 16, and 19 which, amongst other patentable elements, requires (illustrative emphasis provided):

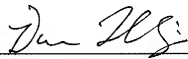
particles of luminescent material embedded in an inorganic material, wherein the inorganic material comprises mono aluminum phosphate and silicon oxide that fill pores between the particles of luminescent material.

Hiroyuki is cited to allegedly show other features and does not remedy the deficiencies in Hampden and DiChiara. Accordingly, it is respectfully submitted that independent claims 1, 11, 14 and 19 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that 4-9, 12-13 and 15-18 should also be allowed at least based on their dependence from independent claims 1, 11 and 14.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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